## IN THE UNITED STATES DISTRICT COURT

## FOR THE DISTRICT OF HAWAII

## ORDER ADOPTING MAGISTRATE'S FINDINGS AND RECOMMENDATION

Findings and Recommendation having been filed and served on all parties on November 19, 2008, and no objections having been filed by any party,

IT IS HEREBY ORDERED AND ADJUDGED that, pursuant to Title 28, United States Code, Section 636(b)(1)(C) and Local Rule 74.2, the "Findings and Recommendation that Case be Dismissed without Prejudice," are adopted as the opinion and order of this Court.

IT IS SO ORDERED.

DATED: Honolulu, Hawaii, December 9, 2008.



David Alan Izra

United States District Judge